

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

PHYLLIS BALL, et al.,

Plaintiffs,

v.

Civil Action 2:16-cv-282

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth P. Deavers

JOHN KASICH, et al.,

Defendants.

ORDER

This matter is before the Court on the plaintiffs' Motion of Third-Party Defendant Disability Rights Ohio to Strike or, in the alternative, to Sever the Third-Party Complaint Filed by the Intervenor-Guardians ("Motion to Strike or Sever"). (ECF No. 348.) Disability Rights Ohio ("DRO") asks for urgent consideration under Local Rule 7.1, which provides in relevant part:

(3) **Urgent Motions.** The Court may, for good cause shown, provide for an early hearing on any motion with or without the filing of memoranda by the parties.

S. D. Ohio Civ. Rule 7.1(b)(3).

DRO filed its Motion to Strike or Sever on October 16, 2018, asking the Court to provide an expedited decision so that DRO need not bear the expense of filing a responsive pleading to the Third Party Complaint that was filed on September 14, 2018, stating:

Disability Rights of Ohio's response to the Third-Party Complaint is due on November 1, 2018. It should not be required to bear the expense of preparing a Rule 12 response if the Court agrees that the purported third-party complaint is not proper and should not be permitted to proceed in this case.

(Mot. at 1–2, ECF No. 348.)

The Court finds no good cause to provide a decision without the benefit of briefing on DRO's Motion, which is directed at a document that was filed over one month ago. Thus, the Court **DENIES** DRO's request for urgent consideration of its Motion to Strike or Sever. However, the Court will permit DRO to have an extension of time to file its responsive pleading until two weeks after the Court rules on the Motion to Strike or Sever.

IT IS SO ORDERED.

10-17-2018
DATE


EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE